

**Minutes of the Carlisle Board of Health  
December 10, 2012**

Present: Board members Jeff Brem (Chairman), Bill Risso (Vice-Chairman), Catherine Galligan, Vallabh Sarma, Donna Margolies; Linda Fantasia (Agent), Karina Coombs (Mosquito)

The meeting was called to order by the Chairman at 7:00 pm. at Carlisle Town Hall.

**ADMINISTRATIVE REPORTS**

**21-23 Bedford Road** – soil testing for system upgrade is scheduled for 12/12/12. Stamski & McNary will do a Title 5 Inspection. Brem asked Fantasia to check that Dig Safe had been notified.

**Community Septic Loan Program** – The Board sent a memo to Larry Barton, Finance Director, to start the process for requesting an initial \$100,000 from the Water Pollution Abatement Trust. Galligan said she is working with Fantasia to develop criteria to prioritize requests. The Board will also consult with Barton over issues he has raised. Galligan hopes to have something available in January.

**Community Transformation Grant** – Final report was submitted by Consultant. Recommendations included an assessment guide for rating trail accessibility, ways of promoting a regional trail system, and managing development through local bylaws and regulations in order to encourage healthy lifestyles. The full report will be shared with Conservation, Planning and Trails Committees.

**Tick Task Force** – Margolies reported on the meeting which was held in Lincoln last week. The group is interested in creating a uniform message and pooling resources. It will continue to meet on a monthly basis. Some communities such as Waltham have questions about the purpose of the group. Carlisle has agreed to explore current research and what is available as educational materials. May is Lyme Disease Awareness Month. Dr. Sam Telford, Cumming Veterinary School of Tufts University, has agreed to speak at the 4/24/12 public information night at the First Religious Society. The Forum will be open to public including surrounding towns.

**Rabies Clinic** – March 16, 2013. Tiffany Rule, DVM, will do the vaccinations. Bedford is interested in participating.

**Veterans Services** – Public Health Initiatives Together (PHIT) (Carlisle, Acton, Concord, Bedford) met with Acting Director Bedford VA Hospital. Hospital would like to work with communities on outreach programs. They have grant writers available. There is an interest in having an intern develop an outreach program for each community.

**Emergency Preparedness** – Region 4A would like local allocations spent by end of January. See chart in meeting book. Paying \$1500 for Blackboard Connect (4<sup>th</sup> year). Town pays \$1500. The Board wants the Selectmen to know that this may be the last year. The office cell phone and iPad are paid for by Region. There will be \$1181 remaining for emergency preparedness supplies.

**LONG RIDGE ROAD CONSERVATION CLUSTER** (Brem recused himself from the Board since he is the applicant/developer.) Abutters Mike Hanauer and Ann Woodward were present for the discussion.

Brem said the new name for the project is “Trails End”. A revised plan addressing the last engineering review was submitted. All items have been addressed including the wetland line verification, well locations, additional testing, locations of primary and reserve areas and disposal of wood waste offsite. The Board had asked Frado to look at the surface drainage due to concerns about manure runoff expressed by the abutters at the last meeting. Frado submitted a report stating that visually it could be discerned that the land slopes away from the stockpile of manure southeasterly towards Long Ridge Road, and that any runoff would be captured in a low area along the road and not into the street. Testing in this area showed soils favorable for infiltration. Brem had added flow direction arrows to his plan to demonstrate the surface drainage. There is a natural infiltration basin before the roadway. He also noted that Leah Bisbaine had done new wetland delineation since the previous one had expired.

Hanauer asked how the testing locations are decided. It was explained that the Board's consultant, Rob Frado, is only required to witness the testing. System design is up to the design engineer. The Board had asked Frado to evaluate the drainage during the soil testing. Hanauer asked if the Board could have the stockpile relocated. The Board said this was not at issue in this hearing. Risso said he would prefer keeping the two issues - conservation cluster special permit and manure stockpiling - separate. Hanauer asked if the manure was composted. Brem said it is actively managed on a daily basis.

The Board agreed that based on consultant's comments, the lots have soils suitable to maintaining soil absorption systems and can meet all required setbacks. The cluster development is feasible from a septic and well prospective.

Woodward asked whether the Board is concerned about horse waste from the area around the barn. She said a single horse can excrete the same amount as 20 people and suggested the Board might want to take this into consideration. There are 7 horses on the property. The barn structure is also the same size as a five bedroom house. Basically there are actually two structures on a lot that is intended for a single family home. Brem said that he cleans up after the horses on a daily basis. It is part of his manure management plan. Galligan said that if the abutters want the Board to take action relative to the stockpile, they would need to show an adverse impact. Sarma felt that Frado's report indicates that there are no public health issues. The Board agreed that based on the soil information provided, the cluster development is feasible and the manure stockpile meets local regulations. There does not appear to be a public health reason to deny the application. (Brem left the meeting to attend another hearing).

**It was moved (Galligan) and seconded (Margolies) that based on preliminary deep observation holes and percolation tests the proposed Long Ridge Road, Conservation Cluster known as "Trails End" is capable of meeting local and state requirements and each lot has the ability to support subsurface sewage disposal systems; therefore the Board issues a favorable finding to the Planning Board. Motion passed 4-0-0.**

**36 LOG HILL ROAD** – Christopher Riddick, owner, and Todd Brown, installer, appeared before the Board.

The Board issued an Order to Correct on 12/3/12 requiring the system to be brought into compliance with the approved plan. This was a recommendation of town counsel following a joint meeting with Conservation, Building and Town Administrators. According to the As-Built provided by Norse Design Services, the tanks were 18' from wetlands rather than the 20' distance approved by the Board, grading for the leaching field extended into the Town's Right of Way, and a pipe in the Perc-Rite Unit was damaged according to Oakson, the vendor. Brown reinstalled the tanks on 12/7/12. He paid an additional fee for field work after the winter shut down. He also re-graded the front yard. He had feathered the grading past the lot line as an improvement. The Conservation Commission agreed to issue an Enforcement Order to relocate the tanks. The Board noted that the system had been covered without an inspection. The installation and final grade as-builts were submitted together and the problem was identified. Brown admitted he had made a mistake and wanted to resolve the issues as soon as possible. Rob Sarmanian of Oakson had taken the unit back to his shop to fix the broken pipe. It should be reinstalled next week. Rob Frado had approved the relocation of the tanks on 12/7/12. A revised as-built will be submitted.

The Board said it was concerned that the system had been backfilled before it was approved by the Board's inspector. As a regular installer in town, Brown is aware of the inspection steps. The Board was not pleased that work on the system now has to be done during the winter shut down. Weather can be a problem. Risso said a licensed installer is expected to follow the regulations. This was a sensitive site due to wetlands and time constraints. Brown's activities have put his client in a difficult position. The Building Commissioner revoked the occupancy permit for the rental because it did not have a functioning septic system. Galligan agreed that Brown felt he could ignore the regulations. The Board depends on its regulations in order to ensure that systems are correctly installed and function properly. Brown said he only intended to make the system look better in the front yard and had difficulty getting the design engineer to the site for the partial as-built. He said Norse Design Services was unresponsive to his requests. He wanted to move the work along before the deadline which is why it was backfilled. The Board did not agree with the excuses. It is not up to the contractor to decide which regulations he will follow. Grading into the town right of way could be a problem for Public Works plowing the road. Again Brown apologized and said his work has always been excellent in town. He mentioned a difficult site he had done on Wolf Rock Road with good results. Fantasia had checked with the engineer who verified that he had staked out locations

for the system components. The Board asked whether he did the work at the site. Brown acknowledged he was not at the site but felt he was supervising his employee. By licensing an installer, the Board requires that the installer be on site. Brown has 30 employees working for him. Fantasia listed the inspection dates which began on 9/26/12. The engineer had staked the system on 9/8/12. Although the partial as-built was dated 10/10/12 it was never submitted. A final as-built was submitted 10/23 when the problem was identified. Fantasia also said that Oakson would have preferred installing a brand new unit. It will take time to repair the broken line although it should function normally. Brown said a new unit would have cost him an additional \$2500 which is why he asked to have the installed one repaired. Galligan asked if the repaired unit would be the equivalent of a new one. Brown said according to Oakson it should be. Galligan felt the system owner should be aware of this. There could be an impact on the warranty.

The Board did not feel Brown's explanations for putting the tank in the wrong location, grading into the town's ROW, or backfilling the system before it was inspected were reasonable. The problems should all have been anticipated and seem to be the result of poor management of the site and scheduling. Brown said he was willing to pay for additional engineering services. The Board agreed to provide a total.

Galligan said she was concerned that an installer would neglect required inspections and choose esthetics over the approved design. The system may be compromised and could result in a premature failure. The additional work close to wetlands was clearly avoidable. She suggested the Board require an additional statement from Oakson that the worked-on unit will function properly and that they will stand behind it. Fantasia will notify Sarmanian.

The Board agreed that it needs more local control over installation sites. The licensed installer should be onsite a majority of the time. Companies are not licensed, individuals are.

**53E1/2 ACCOUNT** – Galligan reported that at the last meeting the account looked solid. Two engineering bills, however, were submitted late and now the account has less than the \$10K as a minimum balance. Galligan has been working on resolving the immediate problem but also looking to revise fees so they are comparable to current expenses. She is planning on preparing a methodology which will include administrative and management costs. This can be hard to capture for a fee that relates to a specific site. There are also some new fees that the Board might consider which many towns include. One example is setting a deadline for starting construction in order to keep the activity expense closer to the fee paid. Galligan said the Board should establish a \$150 fee to cover field work requests during the winter shut down. Risso wanted to expand this to non-Wednesday requests year round. Fantasia said Frado often does non-Wednesday requests when these appointments are reasonable. It should not be dependent on how an installer schedules his equipment. There need to be limitations otherwise appointments would be made and cancelled randomly. This would make it difficult for Frado to schedule his work week. The Board agreed to discuss non-Wednesday services at a later date.

**It was moved (Galligan) and seconded (Sarma) to establish a \$150 special services fee for field work requests during the winter shut down months of December, January or February, retroactive to the November 30, 2012 deadline. Motion passed 4-0-0 (Brem absent).**

Sarma offered to work with Galligan and Fantasia on the fees. Risso had spoken with Barton about how much of the septic license expense should be the town's responsibility. Barton said the expense falls on the applicant.

## **DISCUSSION ITEMS**

**Town Government Study** – the Selectmen have set up a subcommittee which includes Risso to follow up on the recommendations. Selectmen Hult will chair the subcommittee.

**BILLS** – salaries and engineering invoices for October and November were submitted.

**It was moved (Galligan) and seconded (Margolies) to approve the bills as presented. Motion passed 4-0-0.**

There was no further business. Meeting voted to adjourn at 10:15 pm.

Respectfully submitted,

Linda M. Fantasia,

Recorder